



Resident Magistrates' Pensions Act (Northern Ireland) 1960

1960 CHAPTER 2

GENERAL AND FINANCIAL

18 Persons receiving other superannuation benefits.

- (1) Where a person (other than a person referred to in paragraph (b) of sub-section (6) of section two) appointed as a resident magistrate has received or become eligible for any superannuation benefits under the Superannuation Acts, he may be treated, for the purposes of this Act, as a person to whom paragraph (b) of sub-section (2) of section two applies if, at the time of his appointment as a resident magistrate or within three months thereof—
- (a) he pays to^{F1} the Treasury]
 - (i) an amount equal to the lump sum or gratuity, if any, granted to him under the Superannuation Acts; and
 - (ii) an amount equal to the sums, if any, paid to him under those Acts in respect of his pension for the period after the time of his appointment as a resident magistrate; and
 - (b) he releases, in such manner as^{F1} the Treasury] may approve, any superannuation benefits payable to or in respect of him under those Acts.
- (2) Where at the time of his retirement from the office of resident magistrate, a resident magistrate is receiving any superannuation allowances under the Superannuation Acts or the Superannuation Acts, 1834 to 1950, and the aggregate of—
- (a) the annual amounts of those allowances; and
 - (b) the annual amount of the pension for which, but for this sub-section, he would be eligible under this Act;
- exceeds the greatest of the following amounts, that is to say—
- (i) one-half of his retiring salary as a resident magistrate; or
 - (ii) one-half of his retiring salary in the employment by virtue of which he became eligible for an allowance under the Superannuation Acts; or

Changes to legislation: There are currently no known outstanding effects for the Resident Magistrates' Pensions Act (Northern Ireland) 1960, Section 18. (See end of Document for details)

- (iii) one-half of his retiring salary in the employment by virtue of which he became eligible for an allowance under the Superannuation Acts, 1834 to 1950;

his pension under this Act shall be abated by the amount of the excess.

- (3) Where a resident magistrate has received any lump sum—

- (a) under the Superannuation Acts; or
- (b) under the Superannuation Acts, 1834 to 1950;

and he has not paid to^{[F1} the Treasury] an amount equal to the lump sum paid to him under the Superannuation Acts, the amount of the lump sum, if any, granted under sub-section (2) of section three to his representatives shall be equal to—

- (i) twice the annual amount of the pension for which he would have been eligible if, at the time of his death, he had retired on the ground of permanent infirmity; or
- (ii) the amount, if any, by which his last annual salary exceeds the lump sum received by him under the Superannuation Acts or the Superannuation Acts, 1834 to 1950;

whichever is the greater.

- (4) In this section “retiring salary” in relation to any employment to which the Superannuation Acts or the Superannuation Acts, 1834 to 1950, apply, means the amount of the average salary payable to a person during the three years immediately preceding the date of his retirement from that employment.

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